

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District Of Texas

FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JUL 24 2019

David J. Bradley, Clerk

United States of America)

Y.
Rolando AYALA Contreras)

YOB: 1961 Citizenship: MX)

Case No. M-19-1733-M)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 23, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC § 952

by knowingly and intentionally importing into the United States from the United Mexican States approximately 6.56 kilograms of methamphetamine, a schedule II controlled substance.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

☒ Continued on the attached sheet.

Complainant's signature

Kyle Pearson, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

Approved by Robert Guerra
AUSA
7/24/19

Judge's signature

City and state: McAllen, Texas

USMJ J.S. Hacker

Printed name and title

Attachment A

On July 23, 2019, at approximately 2121 hours, Rolando AYALA Contreras presented himself for admission into the United States from Mexico at the Hidalgo Port of Entry (POE), Hidalgo, Texas, while driving a white Ford Fiesta with Mexican plates END4933. AYALA told the primary inspection Customs and Border Protection Officer (CBPO) that he was a bus driver that was traveling from Monterrey, Mexico to pick up another bus driver in the US. AYALA's stated that the other bus driver was coming from Laredo, and the two would travel back to Monterrey, Mexico. AYALA claimed to the CBPOs in the secondary inspection area that he would be traveling to an unknown Walmart to purchase a phone charger.

AYALA's vehicle had been flagged by CBPOs as being linked to drug trafficking. AYALA and the Ford Fiesta were remanded for a secondary inspection.

During the secondary examination, CBP Officers scanned the vehicle through a non-intrusive examination (Z-Portal) which revealed anomalies within the vehicle's rocker panels. A CBP K9 examination was completed in which the K9 indicated to a trained odor of narcotics emanating from the Ford Fiesta. CBPOs extracted six plastic wrapped bundles concealed within both rocker panels. CBP Officers field tested samples of each of the bundles which tested positive for the properties of methamphetamine. The total weight of the 6 bundles was 6.56 kilograms of suspected methamphetamine.

Homeland Security Investigations (HSI) Special Agent (SA) Kyle Pearson and HSI Task Force Officer (TFO) Jesus Cuellar interviewed AYALA, who waived his right to the presence of counsel. AYALA provided multiple contradicting statements surrounding about his reasons and intentions of travel, and other statements indicative to knowledge of drug trafficking.

AYALA admitted that he lied to both the primary and secondary CBPOs reference the trip to Walmart, and the plans to pickup a secondary bus driver. AYALA initial told the interviewing agents that he was coming to the United States to pickup medications for a cancer-stricken friend in Monterrey, but later claimed that he intended to pick up documents from a nearby hotel. AYALA initially claimed to the interviewing agents that he was entering the US to pickup medications but changed the claim to picking up documents. AYALA applied for admission into the US after 9PM.

AYALA stated that he was picked up by a male in the white Ford in Monterrey, Mexico on July 23, 2019, claiming to be the sick friend's therapist. The male and AYALA allegedly drove to Reynosa, Mexico where AYALA claimed that he was paid \$100 in expenses to cross into the United States to pickup documents. AYALA claimed the male was going to pay him an additional \$3000 pesos as a fee upon AYALA's return to Mexico. AYALA was instructed to cross into the US by himself.

AYALA admitted that he knew he was lying to CBPOs and that lying to law enforcement was against the law. AYALA claimed that the male from Monterrey had coached him on what to say to law enforcement if encountered. AYALA claimed he aired his suspicions to the male about concealed contraband in the vehicle prior to applying for entry into the US.

AYALA was the sole occupant in the vehicle that contained bulk quantities of methamphetamine while entering the United States from Mexico. AYALA admitted to being paid in advance and was promised additional payments upon his return to Mexico in the vehicle. AYALA made multiple contradictory statements surrounding his reasons for travel and itinerary, claimed he was coached by an alleged facilitator and had suspicions of being involved in drug trafficking yet attempted the cross-border travel.